

To: FCC Office of the Secretary
Re: E-Rate Denial Docket No. 02-6
From: Jefferson Parish Public School System

The Jefferson Parish Public School System is appealing the March 26, 2003 denial of our E-Rate Funding Request Number 933553. The pre-discount amount of \$528,264.00 was requested to fund our frame relay network. SLD denied our request contending that "No contract or legally binding agreement was in place when the Form 471 was filed."

The School System contends that the Louisiana Master State Contract does in fact represent a legally binding agreement. All government agencies and public school systems in the State of Louisiana purchase from this master contract which was bid and awarded in compliance with all applicable state laws.

Please consider the following:

The state of Louisiana does not file a Form 470 for these network services

In lieu of the State not filing a Form 470, the school system files a Form 470 every year for these services.

A Form 470 for this particular request was filed on 8-6-02

The only vendor responding to this request was BellSouth Telecommunications

They offered us tariff rates @ \$61,444.00 per month or Louisiana Master State Contract rates of \$44,327.00 per month.

Being a fiscally responsible agency, we chose the significantly lower State Contract rate which will save the school system \$205,404.00 annually.

In summary, we believe that by purchasing from the Louisiana State Master Contract, we did in fact enter into a legally binding agreement between BellSouth and the Jefferson Parish Public School System. In light of the fact that it is legal and ethical for all State agencies to purchase from this master contract, it is difficult to understand why SLD is the only entity that views this practice as problematic. We would sincerely appreciate your review of this matter and ask that you overturn SLD's decision to deny this funding request.